98TH CONGRESS
1st Session

SENATE

REPORT
No. 98–105

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PROGRAM SUPPORT AUTHORIZATION ACT

MAY 16, 1983.—Ordered to be printed

Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1100]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1100) to consolidate and authorize program support and certain ocean and coastal programs and functions of the National Oceanic and Atmospheric Administration under the Department of Commerce, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF BILL

The purpose of this bill is to authorize appropriations for program support and certain ocean and coastal activities of the National Oceanic and Atmospheric Administration (NOAA) for fiscal year 1984. This bill will allow the Committee to consider, guide and direct activities in NOAA's Program support and ocean and coastal programs.

BACKGROUND AND NEEDS

This bill is one of a series which together provide a comprehensive authorization for NOAA under the Department of Commerce.

NOAA was created by Executive order in 1970 with the primary responsibility for most of the Federal Government's civilian research, service and regulatory programs affecting the Nation's oceans and atmosphere. The work of NOAA is critical for efficient weather forecasting and the sound management and productive use of the Nation's ocean and coastal resources.

Included among these programs are those administered by the National Weather Service, the National Ocean Survey, the National Marine Fisheries Service, the Office of Coastal Zone Management, and the Office of Sea Grant.

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The scope of NOAA's responsibilities has increased considerably in the 13 years since its formation. In the decade of the 1970's, national concern for the environment and an awareness of ever increasing demands on our oceanic and atmospheric resources were reflected by the enacement of a significant number of legislative initiatives aimed at enhancing environmental protection and promoting wise management of these resources. Several programs under NOAA were established by these new laws, including:

1. The Marine Mammal Protection Act;
2. The Marine Protection, Research and Sanctuaries Act;
3. The National Ocean Pollution Planning Act;
4. The Endangered Species Act;
5. The Magnuson Fishery Conservation and Management Act; and
6. The Coastal Zone Management Act of 1972.

This piecemeal growth brought with it a patchwork of authorization bills for the agency. Virtually the entire funding authority for the programs inherited by NOAA in 1970 could be traced to several dozen acts, all of which provided permanent authorizations. In fact, 85 percent of NOAA's appropriations have been provided pursuant to permanent authorizations.

The other 15 percent of the agency's funding is covered by miscellaneous annual authorization acts. These annual authorization acts have little discernible relationship to the NOAA budget structure. This makes it difficult for authorization provisions to affect actual programmatic funding levels.

In response to this situation, the Committee began last year to review all the agency's programs with the goal of enacting regularly expiring authorization legislation covering the entirety of NOAA. This goal stemmed from two factors:

1. the desire to play an active role in deciding how agency programs would be carried out and how all its funds would be spent; and
2. the desire to create a rational connection between the NOAA budget structure and all existing annual authorizations affecting the agency's mission.

Earlier legislative attempts have been made to achieve this goal. In 1982, the Committee reported S. 2605, the "National Oceanic and Atmospheric Administration Authorization Act". This bill, the first attempt at a comprehensive authorization bill for NOAA, assembled various ocean and coastal, atmospheric and satellite, fisheries, and program support activities into a single bill. A somewhat less comprehensive authorization bill, H.R. 6324, the "Atmospheric, Climatic, and Ocean Pollution Act of 1982" was passed by the House during the 97th Congress. Both bills encountered jurisdictional problems in the Senate and the House and were not enacted.

The new structure provided by the NOAA bills ordered reported by the Committee on April 21, 1983, achieves the Committee's goal of having annual authorizations covering all of NOAA. It is the Committee's intent that the agency use these acts as its basis for appropriation requests in the future. At the same time, it should be noted that the Committee has proposed no satutory prohibition on appropriation requests being made pursuant to any other law. However, the Com-

mittee expects that these other acts would only be used as authority for appropriations in special cases where the task NOAA wishes to carry out is so specific that its funding can only be justified by reference to an existing standing authorization not mentioned in this bill. In addition, if such a situation should arise, the Committee expects that it will be promptly notified by the appropriate officials of the Department of Commerce.

LEGISLATIVE HISTORY

The Committee on Commerce, Science, and Transportation held 3 days of hearings on four program areas within NOAA. These were ocean and coastal programs on February 28; fishery programs on March 10; and atmosphere and satellite programs and program support on March 14, 1983. Testimony on ocean and coastal activities reported in this bill was received from four Government witnesses. The Committee reported S. 1100 by unanimous consent on April 21, 1983.

Summary of bill

The National Oceanic and Atmospheric Administration Program Support Authorization Act includes two statutes which require reauthorization for fiscal year 1984 as well those programs which are under standing authorization. The bill contains a 2-year reauthorization for the following acts:

1. Title II of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401); and
2. The National Ocean Pollution Planning Act of 1978 (33 U.S.C. 1701).

Authorizations of appropriations for fiscal year 1984 are provided for program support and most of the ocean and coastal programs in NOAA which are currently under standing authorization. The following budget subactivities are covered:

1. Executive direction and administration;
2. Marine services;
3. Aircraft services;
4. Ocean research;
5. Ocean services; and
6. Mapping, charting and geodesy.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., April 25, 1983.

Hon. BOB PACKWOOD,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the

attached cost estimate for S. 1100, the National Oceanic and Atmospheric Administration Program Support Authorization Act.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

APRIL 25, 1983.

1. Bill number: S. 1100.
2. Bill title: The National Oceanic and Atmospheric Administration Program Support Authorization Act.
3. Bill status: Ordered reported by the Senate Committee on Commerce, Science and Transportation, April 21, 1983.
4. Bill purpose: This bill authorizes appropriations of $260.5 million for fiscal year 1984 for the National Oceanic and Atmospheric Administration to administer programs under its purview, including marine, ocean, and aircraft services, ocean pollution planning, ocean and ocean dumping research, and mapping, charting, and geodesy programs. In addition, S. 1100 authorizes the appropriation of $15.0 million for fiscal year 1985—$3 million for National Ocean Pollution Planning Act activities and $12 million for ocean dumping research. In addition, the bill authorizes the appropriation of such sums as may be necessary for increases in salary, and other employee benefits authorized by law.
5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1984	1985	1986	1987	1988
Authorization level:					
Specified (function 300)	260.5	15.0	.....	.....	.....
Estimated (function 920)	6.4	.3	.....	.....	.....
Total	266.9	15.3	.....	.....	.....
Estimated outlays:					
Function 300	177.1	80.5	11.9	5.7	.3
Function 920	5.8	.9	.....	.....	.....
Total	182.9	81.4	11.9	5.7	.3

Basis of estimate: The specified authorization levels are as stated in the bill, and the estimated authorization for pay is consistent with the CBO baseline projection assumptions. For purposes of this estimate, it was assumed that all amounts authorized will be appropriated prior to the start of each fiscal year. Outlays reflect historical spending patterns for these programs.

6. Estimated cost to State and local governments: None.
7. Estimate comparison: None
8. Previous CBO estimate: None.
9. Estimate prepared by: Anne Hoffman.
10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation: The bill, as reported, provides the vehicle to annually authorize appropriations previously funded pursuant to standing authorization and will result in no new regulatory burdens. NOAA program support and the ocean and coastal programs addressed in this bill which were previously funded under standing authorizations will now be authorized by an annual legislative vehicle like this.

SECTION-BY-SECTION ANALYSIS

Section 1.—Short title

The first section of the bill provides that the Act may be cited as the "National Oceanic and Atmospheric Administration Program Support Authorization Act".

Section 101.—Executive direction and administration

This section authorizes $55,400,000 to be appropriated for fiscal year 1984 for executive direction and administration. This budget subactivity has in the past been carried out pursuant to the standing authorization: "An Act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes" ((33 U.S.C. 857–1). This authorization may also be used to cover duties relating to executive direction and administration specified by any other existing statute.

Section 102.—Marine services

Marine services provide the research vessels that are essential to NOAA's ocean, coastal and atmospheric research. The Committee supports increased funding of marine services to allow the effective conduct of NOAA's research and service activities. To this end, section 102 authorizes $62,400,000 to be appropriated for fiscal year 1984 for marine services. This budget subactivity has in the past been carried out pursuant to the standing authorization: "An Act to define the functions and duties of the Coast and Geodetic Survey and for other purposes" (33 U.S.C. 883a). This authorization may also be used to cover duties relating to marine services specified by any other existing statute.

Section 103.—Aircraft services

This section authorizes $5 million to be appropriated for fiscal year 1984 for aircraft services. This budget subactivity has in the past been carried out pursuant to the following standing authorization: "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture" (15 U.S.C. 311–329). This authorization may also be used to cover any other duties relating to aircraft services specified by any other existing statute.

Section 201.—Ocean dumping research

This section reauthorizes title II of the Marine Protection, Research, and Sanctuaries Act of 1972, which pertains to NOAA's ocean dumping research responsibilities. Appropriations of $12 million for fiscal year 1984 and $12 million for fiscal year 1985 are authorized for activities under this act. Title II of the Marine Protection, Research and Sanctuaries Act of 1972 provides for research on the long-term effects of pollutants on the ocean. Given the likely increases in ocean dumping in the years to come, the Committee believes that ocean dumping research should continue and supports full funding of this act.

Section 202.—National Ocean Pollution Planning Act of 1978

This section reauthorizes the National Ocean Pollution Planning Act of 1978 and authorizes appropriations of $3 million for fiscal year 1984, and $3 million for fiscal year 1985. The National Ocean Pollution Planning Act of 1978 establishes a 5-year plan for Federal ocean pollution research, monitoring and coordination. The projected increases in marine pollution compels this Committee to believe that such assessments are necessary and to support full funding of this act.

Section 203.—Ocean research

The ocean research subactivity involves the examination of ocean dynamics and air/sea interaction to predict global climate, undersea research on marine resource development, pollution, and management, and the assessment of the impact of hazardous and other waste materials upon ocean, estuarine, and freshwater environments. The Committee believes that such work is essential to the understanding, development and management of ocean and coastal resources. To this end, subsection (a) authorizes $34 million to be appropriated for fiscal year 1984 for ocean research, including the continuation of existing activities at the Great Lakes Environmental Research Laboratory. This budget subactivity has in the past been carried out pursuant to the standing authorization: "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes" (33 U.S.C. 883a). This authorization may also be used to cover duties relating to ocean research specified by any other existing statute.

Subsection (b) clarifies that the $34 million authorized in subsection (a) is in addition to annual authorizations under the following laws:

1. Title II of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401); and
2. the National Ocean Pollution Planning Act of 1978 (33 U.S.C. 1701).

Section 204.—Ocean services

The Ocean services subactivity provides the technical basis for safe and efficient use of the ocean and Great Lakes by Government, commerce, and the private sector. Services include the coordination of interagency research on ocean dumping and marine pollution, and the prediction of tides, currents and other marine variables. The Committee believes that these ocean services are essential to the use of the ocean and coastal environment. To this end subsection (a) of the bill authorizes $16,200,000 to be appropriated for fiscal year 1984 for ocean services. This budget subactivity has in the past been carried out pursuant to the standing authorization: "An Act to define

the functions and duties of the Coast and Geodetic Survey, and for other purposes" (33 U.S.C. 833a). This authorization may also be used to cover duties relating to ocean services specified by any other existing statute.

Subsection (b) clarifies that the $16,200,000 appropriated in subsection (a) is in addition to annual authorizations under the following laws:

1. the Coastal Zone Management Act of 1972 (16 U.S.C. 1451); and
2. the National Ocean Pollution Planning Act of 1978 (33 U.S.C. 1701).

Section 205.—Mapping, charting and geodesy

Mapping, charting and geodesy provide accurate aeronautical and nautical charts, bathymetric/topographic maps for coastal and offshore regions, and geodetic data for the precise determination of the elevation and movement of the Earth. These services are essential to the safety and efficiency of commercial, private, and military aviation, marine transportation, fishing and offshore and seafloor development. They also aid environmental and earthquake research and emergency planning. The Committee believes that these important functions should continue. To this end, section 205 of the bill authorizes $72,500,000 to be appropriated for fiscal year 1984 for mapping, charting and geodesy. This budget subactivity has in the past been carried out pursuant to the standing authorization: "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes" (33 U.S.C. 833a). This authorization may also be used to cover duties relating to mapping, charting and geodesy specified by any other existing statute.

Section 301.—Pay increase authorization

This section permits supplemental appropriations to accommodate legislated boosts in pay and other employee benefits which result in increased costs to carry out the NOAA duties covered in this bill.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the committee states that the bill as reported would make no change to existing law.

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